

**FAX COVER SHEET****RECEIVED  
CENTRAL FAX CENTER****MAY 26 2009**

RE: OFFICIAL PAPER

TO: Examiner S. H. Azarian  
U.S. Patent and Trademark Office  
MAIL STOP - APPEAL BRIEF - PATENTS

GAU: 2883

PHONE: 571-272-3177  
FAX: 571-273-8300

FROM: Eugene J. Rosenthal  
Reg. No. 36,658  
Alcatel-Lucent USA Inc.

PHONE: (908) 582-4323  
FAX: (908) 582-3930

DATE: 5/26/2009  
Pages (incl. Cover): 21

Re Appellant's Brief Under 37 C.F.R. 41.37

Case No: Kozhevnikov 1-17-10

Serial No: 10/780,248

File Date: February 17, 2004

Title: 1 X N Wavelength Selective Switch

**Certificate of Facsimile Transmssion**

I hereby certify that this correspondence (and any paper referred to as being transmitted therewith) is being facsimile transmitted to: Mail Stop Appeal Brief - Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313, on the date indicated below:

5/26/2009

Date

Kanta Guman

Kanta Guman

Serial No. 10/780,248

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

RECEIVED  
CENTRAL FAX CENTER  
MAY 26 2009

Patent Application

Inventor: Michael Kozhevnikov  
David Thomas Neilson  
Roland Ryf

Case: 1-17-10

Serial No.: 10/780,248

Group Art Unit: 2883

Filed: February 17, 2004

Examiner: Jerry M. Blevins

Title: 1 X N Wavelength Selective Switch

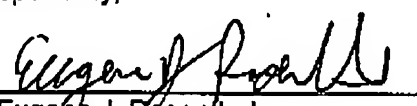
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
ALEXANDRIA, VA 22313-1450  
SIR:

Enclosed is an Appellants' Brief Under 37 CFR 41.37 in the above-identified appeal.

Please charge Alcatel-Lucent USA Inc. Deposit Account No. 12-2325 in the amount of \$540.00, the fee as set forth in 37 CFR 41.20(b)(2). In the event of any non-payment or improper payment of the required fee, the Commissioner is authorized to charge or credit Deposit Account No. 12-2325 as required to correct the error.

Respectfully,

By

  
Eugene J. Rosenthal  
Reg. No. 36,658  
(908) 582-4323

Date: May 26, 2009  
Docket Administrator - Room 2F-192  
Alcatel-Lucent USA Inc.  
600-700 Mountain Avenue  
Murray Hill, NJ 07974-0636